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Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

The United Nations Global Counter-Terrorism Strategy

Security Council
Sixty-seventh year

Letter dated 20 April 2012 from the Permanent Representative of Libya to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the Tripoli Plan of Action, which was adopted at the regional ministerial conference on border security held in Tripoli on 11 and 12 March 2012. The conference was attended by ministers responsible for border security from Algeria, Chad, Egypt, Libya, Mali, Mauritania, Morocco, Niger, the Sudan and Tunisia (see annex).

I should be grateful if you could have this letter and its annex circulated as a document of the Security Council, in the context of the open debate to be held on 25 April 2012 entitled "Threats to international peace and security: securing borders against illicit flows", and of the sixty-sixth session of the General Assembly under agenda items 107, 108, 109 and 118.

(*Signed*) Abdurrahman Mohamed **Shalgham**
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Regional Ministerial Conference on Border Security

Opportunities for promoting operational cooperation

Tripoli, 11 and 12 March 2012

Tripoli Plan of Action

I. Background information

On 28 January 2012, at the African Union summit in Addis Ababa, the Prime Minister of Libya announced that his country intended to host a conference of neighbouring States (Algeria, Chad, Egypt, Niger, Sudan and Tunisia) and concerned States of the Maghreb and North Africa (Mali, Mauritania and Morocco) in order to discuss and tackle some of the most significant border security challenges facing the region. The conference would aim to encourage relevant contact and operational cooperation between Libya and neighbouring States, and to define specific procedures to promote, integrate and stimulate such initiatives at the national, bilateral, subregional and regional levels. That firm commitment to bilateral and regional cooperation, which was grounded in international law and transparent standards, was intended to consolidate mutual trust and amicable relations among participating States.

Such cooperation should consist primarily of the organized exchange of information and skills; meetings and joint training sessions; the formation of common structures and arrangements for communication under bilateral agreements; close cooperation with the relevant international and regional organizations; cooperation in the context of instruments and work programmes; and the establishment of a common work programme for consultation and cooperation on border security issues.

At the preparatory technical meeting held on 9 and 10 March 2012, representatives and experts from participating States examined the salient security challenges with a view to reaching a common understanding of their nature and extent. They agreed on a set of immediate and medium to long-term measures at the national, bilateral, subregional and regional levels aimed at promoting cooperation in confronting those challenges. The response to the common security challenges identified, along with the agreed initiatives and procedures, would constitute a plan of action for implementation and follow-up.

II. A common understanding of the current security challenges

The delegations identified and discussed the principal issues of common interest. They set out their understanding of the nature, scope and principal causes of the border security challenges facing each of the countries and the region as a whole. The following issues and dimensions should be taken into consideration.

Threats and risks

The risks affecting national and regional security, and their root socio-economic causes, were analysed along the following lines:

Weapons proliferation and other forms of trafficking and smuggling

- Man-portable air defence systems (MANPADs);
- Chemical, nuclear and biological weapons of mass destruction;
- Landmine procedures;
- Proliferation of small arms and light weapons;
- Drug trafficking;
- Other forms of illicit trafficking, including cigarettes; commercial fraud;
- Illicit trafficking in petroleum products.

Counter-terrorism and law enforcement

- Analysis of common risks and threats, including groups in the Sahel and armed elements;
- Transnational legal and judicial cooperation: exchange of information on judicial processes for detention, arrest warrants and reports of investigations;
- Exchange of information regarding financial tracking, financing of terrorism and money-laundering.

Border security and management, including illegal migration

- Human trafficking / organized crime;
- Reception centres and expulsion or voluntary repatriation;
- Socio-economic conditions, including cross-border movement;
- Management structures.

1. Causes underlying the threats to border security

- Poverty, marginalization and unemployment;
- Armed conflict, wars and fragile security situations;
- Natural disasters, including drought and floods;
- Ethnic overlap, which results in nomadic peoples failing to comply with legal border restrictions;
- The search for a better economic situation;
- The exploitation of migrants' situation by organized crime;
- Lack of an effective mechanism to control cross-border weapons proliferation.

2. **Specific challenges**

- Limited human resources specialized in border security;
- Paucity of modern technical logistics;
- Insufficient border monitoring posts;
- Limited coordination and harmonization with regard to specialized training in border security;
- Lack of cooperation mechanisms allowing operational field coordination to tackle certain regional issues; inadequacy of regional mechanisms for operational and intelligence coordination.

3. **Proposed solutions**

- Focusing on sustainable human development and addressing the specific development needs of border regions with a view to raising the living standards of the inhabitants, thereby strengthening border security;
- Providing specialist training on border security;
- Using advanced electronic technologies for border security;
- Developing legislation on organized crime and terrorism;
- Drawing on the skills and capacities of international organizations to provide specialized training programmes;
- Examining the feasibility of establishing a common information centre with a view to potential joint operations;
- Reaching a common understanding and definition of the challenges;
- Coordinating with the United Nations and the European Union to promote cooperation, particularly economic, development and security cooperation, in order to resolve the problems and challenges facing regional States;
- Arranging the provision of material support through bilateral and multilateral cooperation, including assistance made available by the concerned international and regional organizations, international financial institutions such as the World Bank and International Monetary Fund, and development banks;
- Urging advanced States to comply with their commitments to provide material and technical support.

III. Promotion of bilateral and regional cooperation

The participants agree that border security and its comprehensive management are functions of the sovereignty and responsibilities of each State. They also agree, however, on the transnational nature of many of the fundamental socio-economic causes of the criminal activities that endanger their security and stability. They therefore believe that the concept of safe borders should be promoted in a comprehensive and coordinated manner through the following steps:

- Examining the possibility of establishing a committee of experts and specialists that would meeting periodically at the bilateral and regional levels to consult and exchange views on border security;
- Organizing joint training sessions for personnel across the region, to be held at domestic, regional and international training centres as well those of any other States or organizations that wish to contribute;
- Strengthening the role of regional organizations in the area of border security;
- Strengthening bilateral and multilateral border security agreements;
- Adopting a common strategy to promote legal and judicial cooperation;
- Requesting customs specialists to develop cooperation mechanisms;
- Exploring a mechanism to monitor financial transactions linked to border threats;
- Emphasizing a comprehensive approach to illegal migration issues, and enshrining the principle of the common responsibility of origin, transit and destination countries;
- Affirming that each State will be involved in any collective discussions on border security;
- Establishing a joint committee on cooperation and coordination in securing borders.

The preparatory meeting at the expert level examined the following immediate and medium-term practical measures at the national, bilateral and regional levels for referral to the Regional Ministerial Conference on Border Security.

- **Information sharing: surveillance, intelligence and analysis of regional and transnational risks and threats**

Immediate measures

- Considering the establishment or promotion of a regional information sharing mechanism with regard to all threats;
- Conducting a comprehensive analysis of the risks arising from insecurity and the root causes of migration; creating opportunities for targeted and effective forms of socio-economic and other assistance across the region with support from the United Nations, regional donors and other partners;
- Convening face-to-face expert meetings of experts in related sectors to create practical mechanisms to implement these decisions.

Medium and long-term measures

- Creating facilities for the exchange of electronic information on organized crime, terrorism, financing of terrorism and money-laundering;
- Establishing a research centre to examine the issues and propose appropriate solutions.

• **Border security and management and illegal migration**

In order to explore means to enforce border security and curtail illegal migration flows from a cause-and-effect perspective, States' experiences were examined and the following recommendations were made.

1. Neighbouring States should endeavour to foster security cooperation and secure land and sea borders by taking the following steps:

(a) Creating and enhancing electronic systems to monitor and protect borders;

(b) Exchanging information regarding criminal networks in general and, in particular, networks trafficking in illegal migrants, weapons, drugs and so on;

(c) Developing the border regions, particularly by improving living standards and infrastructure in order to guarantee border security;

(d) Exploring bilateral mechanisms in order to resolve potential difficulties at the borders;

(e) Training personnel to combat transnational crime.

2. Machine-readable documents using biometric data should be adopted in order to tackle counterfeiting.

3. The concerned States should be invited to put in place legal restrictions to curb illegal migration and strengthen international agreements.

4. All available means should be used, at the domestic and international levels, to foster socio-economic development with a view to limiting illegal migration.

5. Each country could appoint focal points in order to coordinate efforts to secure borders and combat illegal migration.

6. Programmes should be put in place in order to raise awareness of the dangers of illegal migration.

7. With the support of the international community and relevant international organizations, rapid solutions should be elaborated, including ways to develop disadvantaged areas and create jobs for marginalized people.

Counter-terrorism measures

Immediate measures

- The concerned States should establish, foster and train comprehensive and specialized counter-terrorism units. Countries that so wish should exchange expertise and benefit from material and technical support from the European Union and other bilateral partners, maintaining contact with the International Criminal Police Organization (INTERPOL) and the United Nations Counter-Terrorism Committee Executive Directorate (CTED).

- Regional States should examine the feasibility of establishing a database to exchange information on counter-terrorism and relevant security threats. Any participating State would thus be able to access information on, for instance, the locations of terrorists, smugglers and non-State armed groups.

- Regional States should examine the feasibility of establishing a counter-terrorism fund.

- Immediate and tangible measures should be taken in order to address and combat terrorism, with a particular focus on strengthening citizens' resistance to extremist ideological trends, especially in border regions.

- Based on the agreement of the States participating in the conference, multilateral cooperation among African States should be consolidated and extended, and the African counter-terrorism mechanisms should be highlighted.

Medium and long-term measures

- With material and technical support from CTED, each country should put in place its own strategies and full, comprehensive national mechanisms for the implementation of counter-terrorism procedures.

- All of the procedures required under Security Council resolution 1373 (2001) should be implemented. National authorities should comply with the international counter-terrorism instruments which they have ratified, and should consider inviting CTED to conduct follow-up visits in order to assist Governments.

- Parties should cooperate with CTED and the United Nations Office on Drugs and Crime following modalities that should be set out in a protocol. Such cooperation should include reviewing the current legal frameworks in accordance with the requests of each country's national counter-terrorism authorities. It should ensure that national legislation enshrines the offences set forth in the international counter-terrorism instruments and complies with human rights and other international standards. Legislation on money-laundering should be reviewed in order to criminalize the financing of terrorism and provide for the freezing, confiscation or seizure of funds obtained through terrorism.

- Each country should modernize its national coordination and communication mechanisms for combating terrorism and organized crime, including inter-agency cooperation and data systems. In so doing, it should benefit from capacity-building and financial and technical resources from the United Nations Office on Drugs and Crime, the European Union and other organizations.

- Each country should conduct broad campaigns to raise awareness of measures to combat money-laundering and the financing of terrorism. The campaigns should focus on strengthening citizens' resistance to extremist ideological trends, especially in border regions.

- States should share expertise regarding the prosecution of money-laundering and other terrorism-related offences. The competent authorities and bilateral partners should be invited to offer relevant training programmes for security personnel, public prosecutors and the judiciary, in order to strengthen each country's capacity to suppress and investigate the offences set forth in the international counter-terrorism instruments.

• **Law enforcement**

Immediate measures

– A standing regional cooperation mechanism should be established with the aim of combating organized crime, illegal migration and other transnational offences. Participants could include the police force and intelligence or security agencies of each country, for instance through the ministers of the interior, or a standing committee of police chiefs, or domestic or international security agencies.

– Bilateral agreements on the principle of hot pursuit should be implemented, as should those regarding other forms of legal and judicial cooperation, such as detention orders, extradition, forwarding of extradition requests to the competent police force, investigation, court proceedings and records, and cooperation between interior and justice ministries. States should examine the possibility of concluding other such agreements.

– Each country should conclude protocols setting forth mutual arrangements with regard to focal points in order to ensure communication, coordination and information exchange on all law enforcement and security issues.

Medium and long-term measures

– A forum should be established with a view to cooperating on law enforcement training, capacity-building for law enforcement officials, information exchange and consultation on counter-terrorism.

– In order to strengthen operational cooperation among States of the region, action should be taken to establish a regional mechanism along the lines of INTERPOL to combat transnational organized crime.

• **Arms control and landmine procedures**

Immediate measures

– The concerned States should resume cooperation programmes with regard to landmine procedures.

– States should take advantage of any international funding programmes to stimulate national landmine elimination projects.

– Advanced States responsible for laying landmines should be invited to provide assistance to the affected developing countries.

– In countries that so wish, the International Civil Aviation Organization should be invited, in cooperation with national authorities, to conduct a rapid assessment of the vulnerability of international and domestic airports to attacks from MANPADs.

– Countries that so wish should form a working group to ensure bilateral and regional information exchange regarding the proliferation of MANPADs and other weapons trafficking.

– Frontline States should be urged to detect, confiscate and endeavour to destroy the weapons in circulation, particularly portable missile launchers.

– Support should be given to efforts to reintegrate armed groups into civilian life. Regional States that so wish could request assistance from the relevant international organizations and the European Union.

Medium and long-term measures

– Each country should take action to establish and maintain a national database on the proliferation of trafficked and lost small arms and light weapons. Competent authorities within each Government should exchange information at the bilateral and regional levels, establishing regional procedures to store information from the United Nations concerning weapons transfers, with particular reference to the United Nations Programme of Action on small arms and light weapons and the United Nations Register of Conventional Arms. A regional analysis of the topic should be conducted.

– The risks of regional weapons proliferation should be counteracted, and stockpile management practices should be improved, by taking national and regional action to uphold the applicable international agreements and treaties on small arms, the International Ammunition Technical Guidelines and international standards on landmine procedures.

• **Fostering bilateral, subregional and regional cooperation**

– The bilateral agreements and bilateral, subregional and regional cooperation mechanisms that are currently in force should be strengthened in respect of the dimensions set out above. The agreements should be reviewed where necessary in the light of the specific circumstances of their implementation.

– Periodic high-level discussions between agencies combating terrorism and organized crime should be encouraged and strengthened. They should be complemented by regular subregional and regional meetings, particularly in the context of the League of Arab States, the European Union and other such forums.

– Regional associations should be consolidated, including the Community of Sahel-Saharan States, the Council of Arab Ministers of the Interior, the African Union, the League of Arab States, the Arab Maghreb Union and the 5+5 initiative.

– Each regional State should affirm its respect for international laws and conventions concerning extradition, and should seek to conclude inter-State cooperation agreements.

– Bilateral and regional agreements on combating smuggling in all its aspects should be strengthened.

– Bilateral and regional cooperation and information exchange on combating drug trafficking should be intensified.

– Periodic bilateral or regional meetings should be held in order to discuss security and defence in regional States.

– The exchange of skills and training should be promoted.

– The recommendations made at this Conference should be emphasized and referred to the ministerial meeting of the Peace and Security Council of the

African Union, to be held on 16 March 2012, and the regional conference on the Sahel and northern Mali to be held in Chad.

IV. Follow-up to the Conference

The preparatory meeting at the level of experts and senior officials drafted the Tripoli Plan of Action for operational cooperation on border security. The Plan was ratified by the Regional Ministerial Conference on Border Security and will be implemented by each of the concerned Governments. In order to ensure progress, a recommendation was made to form a secretariat of member States, on an annual basis, to determine functions and structure through diplomatic channels with a view to monitoring the progress made and sharing developments. In certain cases, technical, financial and other support from bilateral and multilateral partners will be needed. A timetable for annual regional ministerial meetings through diplomatic channels was also agreed. It was decided that the host State would assess implementation of the recommendations.

The delegation of Morocco offered to host the following conference at the level of experts and ministers in late 2012; an official timetable will be determined soon.